UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,825	07/23/2003	Christopher L. Hamlin	01-524/1C	9207

24319 7590 10/13/2005

LSI LOGIC CORPORATION
1621 BARBER LANE
MS: D-106
MILPITAS, CA 95035

EXAMINER	
LEVIN, NAUM B	

ART UNIT	PAPER NUMBER
2825	

DATE MAILED: 10/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/626,825	HAMLIN, CHRISTOPHER L.	
	Examiner	Art Unit	
	Naum B. Levin	2825	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 August 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *23 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to application 10/626,825, Amendment and Remarks filed on 08/08/2005. Claims 1-25 remain pending in the application.

Claim Objections

2. Claims 1, 9, 15 and 22 are objected to because following informalities:

3. Claim 1:

lines 3-4, replace "the platforms including" with –each of the platforms including --;

line 4, replace "embedded" with –an embedded --;

line 4, replace "memory" with –a memory --;

line 5, replace "memory" with –the memory --;

line 5, replace "reconfigurable core" with –the reconfigurable core --;

line 8, replace "integrated circuit" with –the integrated circuit --.

4. Claim 9:

line 4, replace "a plurality of platforms" with – the plurality of platforms --;

line 5, replace "the plurality of platforms including" with –each of the plurality of platforms including --;

line 5, replace "embedded" with –an embedded --;

line 6, replace "memory" with –a memory --;

line 7, replace "memory" with –the memory --;

line 7, replace "reconfigurable core" with –the reconfigurable core --;

line 9, replace "functionality" with –the functionality --;

line 13, replace "integrated circuit" with –the integrated circuit --.

5. Claim 15:

line 4, replace "the platforms including" with –each of the platforms including --;

line 5, replace "embedded" with –an embedded --;

line 5, replace "memory" with –a memory --;

line 9, replace "integrated circuit" with –the integrated circuit --.

6. Claim 22:

lines 3-4, replace "the platforms suitable" with –each of the platforms suitable --;

line 5, replace "embedded" with –an embedded --;

line 5, replace "memory" with –a memory --;

line 9, replace "integrated circuit" with –the integrated circuit --.

Appropriate corrections are required.

Double Patenting

7. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

8. Claims 1-25 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-13 of U.S. Patent No. 6, 640,333. Independent claim 1 is similar to claim 1 and independent claims 9, 15 and 22 are similar to claim 4 in the reference accordingly because they recite various scope of invention.

Claims 1, 9, 15 and 22 in the application disclose a system/method for providing distributed dynamic functionality in an electronic environment comprising a plurality of platforms, the platforms suitable for providing a logic function, the platforms including embedded programmable logic, a memory and a reconfigurable core, the logic, the memory and reconfigurable core communicatively coupled via a fabric interconnect; and a map expressing logic functions of the plurality of platforms, wherein the platforms and the map are used for integrated circuit design.

Claims 1 and 4 in the reference recite similar the system for providing distributed dynamic functionality in an electronic environment that includes all above limitations plus following additional limitations:" wherein the reconfigurable cores is configured as a base processor design".

Although the conflicting claims are not identical, they are not patentably distinct from each other because it would have been obvious to a person of ordinary skills in the art to use the system/method for providing distributed dynamic functionality in an electronic environment comprising a plurality of platforms, the platforms suitable for providing a logic function, the platforms including embedded programmable logic, a memory and a reconfigurable core, the logic, the memory and reconfigurable core

communicatively coupled via a fabric interconnect; and a map expressing logic functions of the plurality of platforms, wherein the platforms and the map are used for integrated circuit design for implementing it in the system described in U.S. Patent 6, 640,333.

For example, it would have been obvious to implement the system for providing distributed dynamic functionality in an electronic environment comprising a plurality of platforms and each platform include reconfigurable core, " wherein the reconfigurable cores is configured as a base processor design".

Dependent claims 2, 4-5, 10-12, 14, 16, 18-19, 23, 25 in the application are similar to claim 1 in the reference and claims 3, 6-8, 13, 17, 20-21, 24 in the application are similar to claim 3 in the reference accordingly because they recite various scope of invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naum B. Levin whose telephone number is 571-272-1898. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Smith can be reached on 571-272-1907. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

N L

Thuan Do
THUAN DO
Primary examiner.
10/04/2005